

# Intro to Unit 5 Investigations

## UNIT DESCRIPTION

This unit will provide you with the knowledge of key investigative practices; principles; processes and legal controls on conducting an investigation into a breach of legislation. Regardless of whether or not it is criminal or civil in nature.

You will gain an understanding of the criminal and civil legislative mechanisms and controls, to allow for effective enforcement and regulation.

You will also learn in detail the procedural framework for investigation and evidence gathering.

## WHAT TO EXPECT

Courses are offered each year for this and all Units. You will be taught in line with the unit learning outcomes. It is also expected that you will undertake your own learning, by ensuring you are familiar with all areas shown in the unit syllabi.

Qualification Framework courses will use different learning delivery methods. You will have two classroom-based days with the trainer. Access to an on-line portal that provides you with on-going detailed course notes, inter block assessments plus remote sessions, with the trainer and other trainees.

In addition to this, the trainer may choose to provide, via the on-line portal, videos or other learning materials, as they deem necessary; these additional learning materials will be provided throughout the duration of the course.

You are expected to complete all assessments/assignments, as notified to you, by your trainer. You will upload them for marking, by the designated deadline.

**Portfolio:** You will complete the associated portfolio and demonstrate the skills requirement for this subject. You may not take the professional interview examination if the portfolio is not submitted.

**Professional Interview:** This is a 20 minute professional interview (20minute exam with 10minutes additional reading time). Your interview will be monitored by a separate moderator to ensure consistency within marking.

## UNIT INFO

### Assessment types & deadlines:

Portfolio (final submission deadline April)

Professional Interview (20min exam with 10minutes additional reading time)

### [Resources information:](#)

Portfolio guidance

Portfolio Matrixes area

Previous Examiner reports

### Unit designated learning hours:

200 hours (delivered by both training and self-learning hours)

### Qualifications Team info:

Available Mondays to Fridays.  
9am to 4pm

### Team members

Sue Steward – Head of Education and Training  
Richard Cowles – Education and Training Manager  
Marianne Rickwood - Coordinator  
Rebecca Taylor - Coordinator  
Alex Jones – Education Assistant  
Sophia Robinson – Education Assistant

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### CLASSIFICATION OF MARKS

All examinations are marked out of 100% and with a pass mark of 40%.

On passing an examination/coursework you will be graded with the following classifications: Distinction, Merit and Pass.

All effort should be made to gain the highest mark possible throughout the examining process.

Classification	Marks
Distinction	70-100%
Merit	60-69%
Pass	40-59%
Fails	0-39%

### QUALIFICATION FRAMEWORK REGULATIONS AND POLICIES

All forms of assessment fall within strict regulations and you must ensure you understand and adhere to all regulation requirements.

The regulations that cover all aspects of the Qualification Framework qualifications can be found on our website:

<https://www.tradingstandards.uk/practitioners/training-development/qualifications-resources#stage2info>

Please ensure you are familiar with all aspects within the regulations, taking particular notice of any area relating to examinations, coursework and deadlines.

CTSI will publish announcements surrounding the Qualification Framework qualification from time to time. These are found here:

<https://www.tradingstandards.uk/practitioners/training-development/qualifications-resources#announcementsupdates>

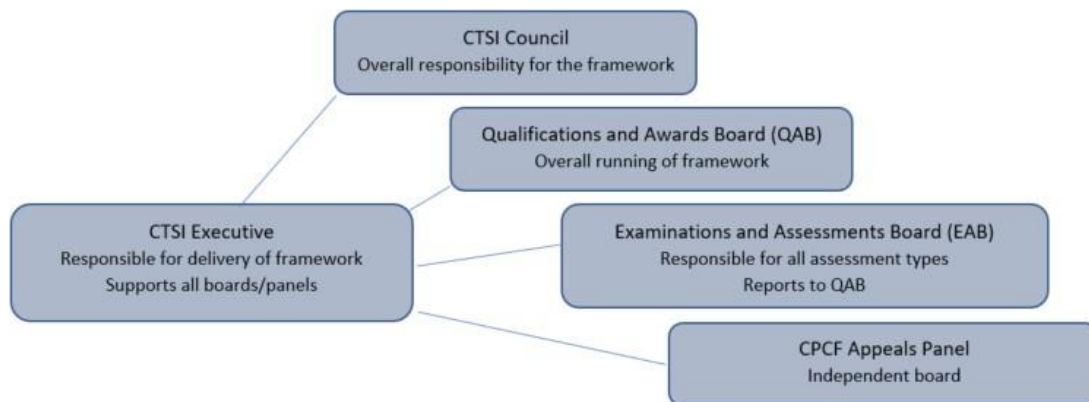
It is important that you are aware of any notifications provided by CTSI throughout the year to ensure you are meeting any/all requirements that the Executive or the Qualifications and Awards Board have put out.

### GOVERNANCE

For more detailed information on the governance of the Qualification Framework, you will find this within the regulations. Below outlines the governance structure approved by CTSI Council.

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## UNIT SYLLABI

NOTE: The examiners may expect candidates to show knowledge of legislation which is in existence but not in force, (i.e. Acts which have not finally been enacted, or Regulations which have not reached their commencement date) if it is directly and significantly relevant to the subject-matter of the examination.

### Learning Outcomes:

At the end of this module, the student will be able to demonstrate:

- Knowledge and understanding of the principles involved in effective intelligence gathering, processing and dissemination in order to direct and progress investigations.
- Knowledge and understanding of the legal controls and processes involved in conducting an effective and compliant investigation into a breach of legislation.
- Knowledge and understanding of key investigative principles which will enable the effective gathering and recording of evidence.

### Indicative areas of study

The range, extent and legal controls, together with relevant guidance, which relates to the conduct of an investigation, whether civil or criminal.

The following terms have been used to indicate the level of knowledge required in each element;

**Detailed:** To an in-depth level, and with a fine degree of distinction between the various concept;

**Working:** The ability to apply the areas of knowledge to a trading standards environment;

**Basic:** Having an awareness of relevant legislation, organisations and concepts.

Assessments will reflect the requisite level of knowledge in each given area of the syllabus.

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### Syllabus

#### Detailed knowledge of:

- The legal regime imposed by the Regulation of Investigatory Powers Act 2000 and the Regulation of Investigatory Powers (Scotland) Act 2000 and the Protection of Freedoms Act 2012
- In England, Wales and Northern Ireland the Police and Criminal Evidence Act 1984 and the relevant codes and equivalent rules in Scotland
- How to interpret and apply statutory powers, in particular enforcement powers in the Consumer Rights Act 2015
- The application of enforcement policies and relevant codes

#### Working knowledge of:

- Trading Standards Intelligence Operating Model (IOM), its use and framework for delivery
- National Intelligence Model (NIM) and its use within the police and enforcement agencies
- The use of intelligence to inform and direct investigations
- The legal regime imposed by the Investigatory Powers Act 2016
- Warrant applications and execution
- Investigations into offences committed through use of the internet
- The gathering, admissibility, retention and presentation of different types of evidence namely oral, documentary, digital, real, circumstantial and hearsay
- Interviewing suspects
- Legal entity of suspects
- The elements of criminal offences, statutory defences and drafting informations.
- Disclosure provisions
- Time limits and abuse of process
- The role of witness statements and the information to be obtained in order to prepare and take effective witness statements and victim personal/impact statements
- Witness evidence and examination
- The identification of vulnerable witnesses and special measures
- Achieving best evidence
- The role of the defence solicitor including pre-interview disclosure
- Rules relating to the giving of evidence in court by an investigator in criminal and civil procedures
- Rules relating to unused material and record keeping
- Possible legal outcomes
- Role and use of expert witnesses

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### **Basic knowledge of:**

Proceeds of Crime Act 2002

Procedures in custody suites

Character evidence of witnesses

Witnesses competence and compellability

The application of the relevant provisions of the Data Protection Act 2018 and General Data Protection Regulations 2016 with regard to the disclosure of information

Burden and standard of proof

The wider regulatory framework, including other enforcement agencies

### **Indicative Legislation:**

Human Rights Act 1988

Criminal Procedure and Investigations Act 1996

Enterprise Act 2002

Criminal Justice Act 2003

Regulatory Enforcement and Sanctions Act 2008

The Regulator's Code 2014

Criminal Procedure Rules 2020